

# ***HOUSE OF REPRESENTATIVES***

## ***Smarter Government Council***

**Representative Gaston Cantens, Chair  
Representative Kenneth Gottlieb, Vice Chair**

### **2002 SUMMARY OF PASSED LEGISLATION SPECIAL SESSION "E"**



#### ***Business Regulation Committee***

**Representative Bruce Kyle, Chair  
Representative Jim Kallinger, Vice Chair**

#### ***Judicial Oversight Committee***

**Representative Larry Crow, Chair  
Representative Jeffrey D. Kottkamp, Vice Chair**

#### ***Juvenile Justice Committee***

**Representative Gustavo A. Barreiro, Chair  
Representative Carey Baker, Vice Chair**

#### ***Local Government & Veterans Affairs Committee***

**Representative Ken Sorensen, Chair  
Representative John Carassas, Vice Chair**

#### ***State Administration Committee***

**Representative Frederick C. Brummer, Chair  
Representative Donald D. Brown, Vice Chair**



## ***TABLE OF CONTENTS***

Business Regulation Committee .....	1
HB 41-E, 1st ENG. – James L. Stevens Act .....	1
Judicial Oversight Committee .....	3
SB 32-E, 1st ENG. – Circuit Judges/Numbers Increased .....	3
HB 67-E, 1st ENG. – State Universities/Trustees .....	3
State Administration Committee .....	5
SB 24-E, 2nd ENG. – Military Separation Forms .....	5
HB 43-E, 3rd ENG. – Confidential Information .....	5



---

## **Business Regulation Committee**

---

**HB 41-E, 1st ENG. – James L. Stevens Act**

**By Byrd & others**

**Linked Bills:** None

**Tied Bills:** Similar SB 66-E

**Committee(s)/Council(s) of Reference:** Referred to House Calendar

This bill is titled as the “James L. Stevens Act.”

The bill directs that a portion of net revenue from cigarette excise tax collections is to be transferred to the H. Lee Moffitt Cancer Center and Research Institute [Moffitt Cancer Center].

For fiscal years 2002-03 and 2003-04, 0.2632 percent of net revenue from cigarette excise tax collections (\$980,000 and \$975,000 respectively) is to be transferred to the Moffitt Cancer Center. Thereafter, beginning July 1, 2004, and continuing for a 12-year period, the bill directs that 1.47 percent of net revenue from cigarette excise tax collections is to be transferred to the Moffitt Cancer Center.

The bill provides that these funds must be used for constructing, furnishing, and equipping a cancer-research facility at the Moffitt Cancer Center at the University of South Florida. This funding will enable the facility to dramatically increase the existing outpatient clinical space and nearly double its cancer research capability by adding 48 new laboratories and technical support areas. A formula is established which ensures that the transfer of funds in the 2004-05 through 2015-16 fiscal years will not be reduced below a set level, now estimated to be \$5,313,000.

Cigarette tax revenue to the General Revenue Fund will be reduced by the amounts above for the next 14 years. In 2002-03, General Revenue will be reduced by \$980,000 on a recurring basis and an additional \$4,333,000 of General Revenue will be converted from recurring to non-recurring

Subject to the Governor’s veto powers, the effective date of this bill is upon becoming law.

---



---

## Judicial Oversight Committee

---

### **SB 32-E, 1st ENG. – Circuit Judges/Numbers Increased**

**By Burt**

**Linked Bills:** None

**Tied Bills:** Similar HB 45-E

**Committee(s)/Council(s) of Reference:** Appropriations

This bill authorizes 18 new circuit court judges, half of which will be elected for a six year term commencing January 7, 2002, and half to be appointed by the Governor for a term beginning on May 1, 2003.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2002.

---

### **HB 67-E, 1st ENG. – State Universities/Trustees**

**By Byrd & others**

**Linked Bills:** None

**Tied Bills:** Compare SB 62-E; SB 72-E

**Committee(s)/Council(s) of Reference:** Referred to House Calendar

During Special Session E, the Legislature passed a comprehensive rewrite of the Florida's Education Code. This bill makes necessary conforming changes to tort law by substituting the separate university boards of trustees for the Board of Regents. This bill also specifies that the place of filing a lawsuit against a university board of trustees (known as venue) is the county in which the university's main campus is located or the county in which the cause of action accrued if the university maintains a substantial presence there.

This bill also amends statutory provisions relating to the Florida Birth-Related Neurological Injury Compensation Fund. The fund pays certain expenses for the care of children suffering from a neurological injury, including care in a residential setting by professionals. This bill provides a formula for payment to a family member who furnishes care to the injured child.

Subject to the Governor's veto powers, the effective date of the portions of this bill relating to the Neurological Injury Compensation Fund is upon becoming law. The effective date of the portions of bill relating to the university's board of trustees and venue is January 7, 2003.

---





---

## State Administration Committee

---

### **SB 24-E, 2nd ENG. – Military Separation Forms**

**By Brown-Waite**

**Linked Bills:** None.

**Tied Bills:** Similar CS/HB 21-E; Compare HB 33-E

**Committee(s)/Council(s) of Reference:** Governmental Oversight and Productivity

This bill provides that any veteran of the United States Armed forces or his or her widow or widower, attorney, personal representative, executor, or court appointed guardian may request that a clerk of the court permanently remove from the official records certain military forms, including the DD-214. In addition, this bill clarifies provisions that passed in two separate bills during the 2002 regular session, CS/HB 1673, 2<sup>nd</sup> ENG., and HB 1675. More particularly, this bill provides that prior to January 1, 2006, if a social security number, or a complete bank account, debit, charge, or credit card number, is included in a court file, or an official record, such number is available for public inspection and can only be removed if a request is made by the holder of the number. After January 1, 2006, the clerk must keep such numbers confidential and exempt from public disclosure, regardless of whether a request is made. This bill also repeals the provision in CS/HB 1673, 2<sup>nd</sup> Eng., which requires the social security number to be entered on a separate page when any final judgment, court order, or docket sheet is brought to the clerk for recording.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

---

### **HB 43-E, 3rd ENG. – Confidential Information**

**By Byrd**

**Linked Bills:** HB 25-E, HB 37-E

**Tied Bills:** Similar CS/SB 78-E; Compare SB 20-E, 1st ENG., SB 46-E

**Committee(s)/Council(s) of Reference:** Referred to House Calendar

This bill creates a public records exemption for the following information held by the Florida Alzheimer's Center and Research Institute, the University of South Florida, or the State Board of Education: personal identifying information regarding certain program clients, and their medical or health records; materials that relate to methods of manufacture or production, potential trade secrets potentially patentable material, actual trade secrets, or proprietary information received, generated, ascertained, or discovered during the course of research; the identity of donors and prospective donors to the Institute; any information received by the Institute in the performance of its duties and responsibilities which is otherwise confidential and exempt by law; and any information received by the Institute from a person from another state or nation or the federal government which is otherwise confidential or exempt pursuant to that state's or nation's laws or pursuant to federal law. This bill provides for exceptions to the exemption, provides for the future review and repeal, and provides a public necessity statement as required by the Florida Constitution.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2002.

---